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LETTER DATED 9 DECEMBER 1996 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached exchange of letters between the Secretary-General of the North Atlantic Treaty Organization and the Parties to the Dayton Peace Accords concerning the Stabilization Force in Bosnia and Herzegovina.

I would appreciate your bringing them to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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Annex I

Letter dated 2 December 1996 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In my letter of 28 November, I informed you that NATO was proceeding with preparations for a follow-up force in Bosnia and Herzegovina. On 29 November, allies agreed that this force would be named the Stabilization Force, or SFOR, and that I should seek the acceptance of the Parties to the Dayton Accords of SFOR as the successor to the Implementation Force (IFOR). I enclose for your information a copy of the letter I sent to the members of the Presidency of Bosnia and Herzegovina on SFOR and a copy of their response. I have sent similar letters to President Milosevic and President Tudjman (also enclosed) and am awaiting their responses.

(Signed) Javier SOLANA

Enclosure I

Letter dated 29 November 1996 from the Secretary-General of the North Atlantic Treaty Organization to the members of the Presidency of Bosnia and Herzegovina

I have the honour to refer to the multinational military Implementation Force (IFOR), and the important role that it has played in the implementation of the military aspects of the Peace Agreement initialled at Dayton on 21 November 1995, and signed at Paris on 14 December 1995 (the Peace Agreement).

It is our understanding that Bosnia and Herzegovina would welcome a follow-up stabilization force (SFOR) to be organized and led by the North Atlantic Treaty Organization.

It is our further understanding that Bosnia and Herzegovina welcomes and invites action by the United Nations Security Council to continue the authorization granted in paragraphs 14 to 17 of its resolution 1031 (1995), with respect to the follow-up force and that it will cooperate fully.

In this connection, it is also our understanding that all references to IFOR in the Peace Agreement (particularly its annexes 1-A and 2) and in all other relevant documents will be read as references to the follow-up force (SFOR).

It is also our understanding that SFOR is the legal successor to IFOR. SFOR is entitled to the same rights, immunities, privileges and facilities as IFOR for all purposes. All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR.

I would appreciate your confirmation of these understandings on behalf of Bosnia and Herzegovina, including its constituent entities the Federation of Bosnia and Herzegovina and the Republika Srpska.

(Signed) Javier SOLANA

Enclosure II

Letter dated 30 November 1996 from the members of the Presidency of Bosnia and Herzegovina to the Secretary-General of the North Atlantic Treaty Organization

We refer to your letter of 29 November 1996, concerning the status of a follow-up stabilization force in Bosnia and Herzegovina to be organized and led by the North Atlantic Treaty Organization.

The Presidency of Bosnia and Herzegovina herewith acknowledges receipt of your letter and confirms concurrence with its contents in full.

We understand that the Presidency shall be consulted on the duration of the mandate.

(Signed)
Alija IZETBEGOVIC

(Signed)
Kresimir ZUBAK

(Signed)
Momcilo KRAJISNIK

Enclosure III

Letter dated 29 November 1996 from the Director of the Private Office of the Secretary-General of the North Atlantic Treaty Organization to the Chargé d'affaires a.i. of the Embassy of the Federal Republic of Yugoslavia transmitting a letter from the Secretary-General to the President of the Federal Republic of Yugoslavia

I would be grateful if you could forward the enclosed letter from the Secretary-General to His Excellency President Slobodan Milosevic.

For your information, it should be noted that a comparable letter has been sent to the President of the Republic of Croatia and the Presidency of Bosnia and Herzegovina.

(Signed) Jorge DOMECQ

Enclosure IV

Letter dated 29 November 1996 from the Secretary-General of the North Atlantic Treaty Organization to the President of the Federal Republic of Yugoslavia

I have the honour to refer to the multinational military Implementation Force (IFOR), and the important role that it has played in the implementation of the military aspects of the Peace Agreement initialled at Dayton on 21 November 1995, and signed at Paris on 14 December 1995 (the Peace Agreement).

It is our understanding that the Federal Republic of Yugoslavia would welcome a follow-up stabilization force (SFOR) to be organized and led by the North Atlantic Treaty Organization.

It is our further understanding that the Federal Republic of Yugoslavia welcomes and invites action by the United Nations Security Council to continue the authorization granted in paragraphs 14 to 17 of its resolution 1031 (1995), with respect to the follow-up force and that it will cooperate fully.

In this connection, it is also our understanding that all references to IFOR in the Peace Agreement (particularly its annexes 1-A and 2) and in all other relevant documents will be read as references to the follow-up force (SFOR).

It is also our understanding that SFOR is the legal successor to IFOR. SFOR is entitled to the same rights, immunities, privileges and facilities as IFOR for all purposes. All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR.

I would appreciate your confirmation of these understandings on behalf of the Federal Republic of Yugoslavia.

(Signed) Javier SOLANA

Enclosure V

Letter dated 29 November 1996 from the Director of the Private Office of the Secretary-General of the North Atlantic Treaty Organization to the Ambassador of Croatia transmitting a letter from the Secretary-General to the President of Croatia

I would be grateful if you could forward the enclosed letter from the Secretary-General to the President of Croatia, His Excellency Dr. Franjo Tudjman.

For your information, it should be noted that a comparable letter has been sent to the Presidency of Bosnia and Herzegovina and His Excellency Mr. Milosevic.

(Signed) Jorge DOMECQ

Enclosure VI

Letter dated 29 November 1996 from the Secretary-General of the North Atlantic Treaty Organization to the President of Croatia

I have the honour to refer to the multinational military Implementation Force (IFOR), and the important role that it has played in the implementation of the military aspects of the Peace Agreement initialled at Dayton on 21 November 1995, and signed at Paris on 14 December 1995 (the Peace Agreement).

It is our understanding that the Republic of Croatia would welcome a follow-up stabilization force (SFOR) to be organized and led by the North Atlantic Treaty Organization.

It is our further understanding that the Republic of Croatia welcomes and invites action by the United Nations Security Council to continue the authorization granted in paragraphs 14 to 17 of its resolution 1031 (1995), with respect to the follow-up force and that it will cooperate fully.

In this connection, it is also our understanding that all references to IFOR in the Peace Agreement (particularly its annexes 1-A and 2) and in all other relevant documents will be read as references to the follow-up force (SFOR).

It is also our understanding that SFOR is the legal successor to IFOR. SFOR is entitled to the same rights, immunities, privileges and facilities as IFOR for all purposes. All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR.

I would appreciate your confirmation of these understandings on behalf of the Republic of Croatia.

(Signed) Javier SOLANA

Annex II

Letter dated 4 December 1996 from the Deputy Director of the Private Office of the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

Please find attached for your information a copy of the letter to the Secretary-General of NATO from the Minister for Foreign Affairs of the Federal Republic of Yugoslavia responding positively to his letter of 29 November on the Stabilization Force. I also enclose a letter from the Federal Republic of Yugoslavia concerning the transit agreement between the Federal Republic of Yugoslavia and NATO.

(Signed) Alastair MERRILL

Enclosure I

Letter dated 3 December 1996 from the Minister for Foreign Affairs of the Federal Republic of Yugoslavia to the Secretary-General of the North Atlantic Treaty Organization

I refer to your letter of 29 November 1996, concerning the status of a follow-up Stabilization Force in Bosnia and Herzegovina to be organized and led by the North Atlantic Treaty Organization.

On behalf of the Federal Republic of Yugoslavia, I herewith acknowledge receipt of your letter and confirm concurrence with its contents in full.

(Signed) Milan MILUTINOVIĆ

Enclosure II

Letter dated 3 December 1996 from the Minister for Foreign Affairs of the Federal Republic of Yugoslavia to the Secretary-General of the North Atlantic Treaty Organization

I take this opportunity to remind you that we still have not concluded the task started in Dayton, Ohio of interpreting certain regulations contained in the Transit Agreement for Peace Plan Operations between the Federal Republic of Yugoslavia and NATO, signed on 21 and 23 November 1995. On 20 February 1996, we received a letter from Mr. B. de Vidts, Legal Adviser of NATO, which contained some interpretations of the provisions of the Transit Agreement, but these interpretations greatly departed from those agreed upon in Dayton.

Pursuant to the provisions of the Constitution of the Federal Republic of Yugoslavia, the Transit Agreement is subject to the approval by the Federal Assembly. Pending the approval, it is implemented on a temporary basis. In my previous letters I explained to you that your confirmation as to the meaning of certain regulations contained in the Transit Agreement, set forth in Dayton, would be of great importance in the procedure of granting the approval to the Transit Agreement by the Federal Assembly.

In his letter of 30 April 1996, General George Joulwan (SACEUR) informed me that the matter would be reviewed by the competent officials and that I would shortly be informed thereof. Since I have not received any reply so far, I kindly ask you to intercede so that the competent NATO authorities may confirm in a letter the interpretation of the Transit Agreement agreed upon in Dayton.

I am sending you, enclosed herewith, a copy of the text "Understandings Regarding Certain Provisions of the Agreement Between the Federal Republic of Yugoslavia and the North Atlantic Treaty Organization (NATO) Concerning Transit Arrangements for Peace Plan Operations", set forth in Dayton.

I look forward to your reply.

(Signed) Milan MILUTINOVIĆ

Annex III

Letter dated 4 December 1996 from the Deputy Director of the Private Office of the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

Please find attached for your information a copy of a letter to the Secretary-General of NATO from the President of the Republic of Croatia, together with a courtesy translation, responding positively to his letter of 29 November on the Stabilization Force.

(Signed) Alastair MERRILL
Deputy Director of the Private Office

Enclosure I

Letter dated 3 December 1996 from the President of Croatia to the Secretary-General of the North Atlantic Treaty Organization

Thank you for your letter of 29 November 1996 concerning the to-date role of IFOR in enforcing the Agreement, drawn up in Dayton and signed in Paris on 14 December 1995, and the tasks of the Stabilization Force (SFOR) which would be established and conducted by NATO in the coming period to be defined by the United Nations Security Council.

The Republic of Croatia, as a co-signatory of the Dayton/Paris Agreement, has been supporting the implementation of its provisions throughout the previous period in the interest of stability and security in Bosnia and Herzegovina, as well as the role of IFOR in carrying out the military measures designed to ensure peace.

Not only Croatia but also the international community as a whole is interested in a continued process of unreserved implementation of the accords reached. The Republic of Croatia will continue to use all its influence in this direction, especially all those provisions of the Washington Agreement related to the Federation of Bosnia and Herzegovina, including the already mentioned Dayton/Paris Agreement. We believe that a leading role of NATO is indispensable in this process and that the stability and security in the south-east of Europe will be an additional rationale behind Croatia's accession to the Partnership for Peace and, in the foreseeable future, to NATO membership.

In this connection, and on behalf of the Republic of Croatia, I wish to confirm consent to all the points of mutual understanding put forward in your letter.

Dr. Franjo TUDJMAN
President
Republic of Croatia